

G-012/GR-92-22 ORDER ACCEPTING FILING AND SUSPENDING RATES

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm  
Cynthia A. Kitlinski  
Dee Knaak  
Norma McKanna

Chair  
Commissioner  
Commissioner  
Commissioner

In the Matter of the Application  
of Western Gas Utilities , Inc.  
for Authority to Increase its  
Rates for Gas Service in the  
State of Minnesota

ISSUE DATE: February 24, 1992

DOCKET NO. G-012/GR-92-22

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**PROCEDURAL HISTORY**

On January 9, 1992, Western Gas Utilities, Inc. (Western or the Company) filed a petition seeking a general rate increase of \$303,782 or 13%, effective March 9, 1992.

On January 24, 1992, Western supplemented its filing with additional information.

On January 27, 1992, the Minnesota Department of Public Service (the Department) filed a letter with the Commission stating that, although much of the filing was technically unsupported, it now contained provisions in compliance with the relevant Minnesota statutes and rules, and may be considered complete. Based on Western's supplementary filing, the Department recommended that the Commission accept Western's filing.

On February 18, 1992, the Commission met to consider this matter.

**FINDINGS AND CONCLUSIONS**

Western's January 9, 1992 filing did not meet the statutory requirement. When additional information was filed on January 24, 1992, however, the Company's combined filings were sufficient for the purposes of filing a general rate case under Minn. Stat. § 216B.16 (1990) and Minn. Rules, parts 7825.3100 to 7825.4600 (1990). Accordingly, the filing of Company's rate case will be accepted, with January 24, 1992 as the official filing date.

Western proposed to use its proposed final rates as interim rates, with an effective date of March 9, 1992. Commission Staff will review interim rate issues and bring them before the Commission at a future date.

In accepting Western's filings as meeting the statutory and rule filing requirements, the Commission makes no finding regarding the sufficiency of the material supplied by Western to support the reasonableness its requested rate increase. The supportive information currently filed and the additional information supplied by Western in the course of this proceeding will be subject to additional examination and scrutiny.

Western's rate increase proposal will now be investigated by the Department. It is not clear at this point whether the matter will require a contested case hearing. During this investigatory stage, the Commission will require Western to provide the Department with any additional information the Department seeks, within ten days after receiving the Department's request.

Under Minn. Stat. § 216B.16, subds. 1 and 2 (1990), the rates proposed by the Company become effective 60 days from filing, unless they are suspended by the Commission. The Commission finds that it cannot resolve all issues regarding the reasonableness of the proposed rates within this 60 day period and that the public interest requires suspension. The Commission will establish interim rates for the suspension period, under Minn. Stat. § 216B.16, subd. 3 (1990), by separate Order.

#### **ORDER**

1. The petition of Western Gas Utilities, Inc. (Western) for a rate increase is accepted, effective January 24, 1992, as sufficient for the purposes of filing a general rate case under Minn. Stat. § 216B.16 (1990) and Minn. Rules, parts 7825.3100 to 7825.4600 (1990).
2. The Department of Public Service (the Department) shall conduct an investigation into the reasonableness of the rate changes proposed by the Company.
3. All parties to this proceeding may serve information requests on any other party. Information requests shall be answered within ten days of receipt.
4. The operation of the proposed rate schedule is suspended under Minn. Stat. § 216B.16, subd. 2 (1990), until the Commission has issued a final determination in the matter.

5. The Company shall give written notice, as approved by the Commission, of the proposed change in rates to the governing body of each municipality and county in the area affected and shall submit an affidavit of such service to the Commission within 45 days of the service date of this Order.
6. The Company shall give individual written notice to all customers (including contract customers) of the proposed increase. This customer notice shall be included as an insert in the first bill rendered after the effective date of the interim rates as set by future Commission Order. The Company shall submit the proposed notice, and any other billing inserts proposed for the billing cycle, for prior Commission approval.
7. The Commission authorizes the Executive Secretary to enter Orders on behalf of the Commission varying time requirements for the filing of pleadings and other documents and determining the conduct of this proceeding, according to the standards set forth in Minn. Rules, part 7830.4400 (1990). Any party adversely affected by such an Order shall file a motion for reconsideration, vacation, or modification, no later than ten days from the date of its entry or one day before any filing deadline or occurrence of an act directed in such Order. Such motions will be heard by the Commission.
8. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster  
Executive Secretary

(S E A L)